



**General Assembly
Security Council**

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General Assembly
Sixty-second session
Agenda items 108, 109 and 110

Security Council
Sixty-second year

Measures to eliminate international terrorism

**Report of the Secretary-General on the work
of the Organization**

**Report of the Secretary-General on the
Peacebuilding Fund**

**Note verbale dated 4 October 2007 from the Permanent Mission of
Senegal to the United Nations addressed to the Secretary-General**

The Permanent Mission of Senegal to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to transmit herewith a copy of the outcome document (see annex) of the subregional workshop on the preparation of the responses by the West and Central African countries to the three Security Council committees dealing with counter-terrorism, held in Dakar, from 25 to 27 September 2007. The workshop, which was hosted by the Government of Senegal, was organized by the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime, in cooperation with the expert groups of the three committees.

The Permanent Mission of Senegal would be grateful if the Secretary-General could bring the present letter and its annex to the attention of the General Assembly, under agenda items 108, 109 and 110, and of the Security Council.



**Annex to the note verbale dated 4 October 2007 from the
Permanent Mission of Senegal to the United Nations addressed to
the Secretary-General**

[Original: English and French]

**Subregional workshop on the preparation of the responses by the
West and Central African countries to the Security Council
committees dealing with counter-terrorism**

Dakar, 25 to 27 September 2007

Outcome document

We, the delegates of Benin, Burkina Faso, Cameroon, Cape Verde, Central African Republic, Chad, Congo, Côte d'Ivoire, Equatorial Guinea, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Mauritania, Niger, Nigeria, Sao Tome and Principe, Senegal, Sierra Leone and Togo;

Gathered together to share and discuss our efforts and challenges in dealing with terrorism at the Sub-Regional Workshop held in Dakar, Senegal, from 25-27 September 2007, on the preparation of the responses by West and Central African countries to the Security Council Committees dealing with counter-terrorism ("the Committees");

And in the presence of the United Nations, represented by the United Nations Office on Drugs and Crime (UNODC), the Counter-Terrorism Committee Executive Directorate (CTED) and the Monitoring Team of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities (the Monitoring Team) and the Expert Group of the Security Council Committee established pursuant to resolution 1540 (2004) concerning the proliferation of weapons of mass destruction (1540 Expert Group), the Office of the High Commissioner for Human Rights (OHCHR) and the United Nations Office for West Africa (UNOWA), as well as the following international and regional organizations: African Centre for the Study and Research on Terrorism (ACRST), International Civil Aviation Organization (ICAO), Intergovernmental Action Against Money Laundering and Terrorism Financing (GIABA) and the International Maritime Organization (IMO);

Reiterating the strong condemnation of terrorism in all its forms and manifestations committed by whomever, wherever and for whatever purposes, as it constitutes one of the most serious threats to international peace and security, in accordance with the purposes and principles enshrined in the Charter of the United Nations;

Welcoming the adoption by the General Assembly on 8 September 2006 of the United Nations Global Counter-Terrorism Strategy and its plan of action (A/RES/60/288);

Recognizing the efforts undertaken by CTED, the Monitoring Team and the 1540 Expert Group in implementing a common strategy to assist our States to submit their responses to each of the Committees as an essential step towards the effective implementation of the relevant Security Council resolutions relating to terrorism and the relevant provisions of the United Nations General Assembly Global Counter-Terrorism Strategy;

Reaffirming that our international cooperation and any measures we undertake to prevent and combat terrorism must comply with our obligations under international law, including the Charter of the United Nations and relevant international conventions and protocols, in particular human rights law, refugee law and international humanitarian law;

1. Urge our respective States to continue the dialogue with CTED, the Monitoring Team and the 1540 Expert Group, as a vital step in the global fight against terrorism;
2. Request that the Committees and their expert groups continue to refine the common strategy on reporting with a view to reducing our reporting burden;
3. Urge our respective States to:
 - a) Submit their responses to each of the Committees as soon as possible, as an essential step towards the implementation of the relevant Security Council resolutions relating to terrorism;
 - b) Become parties to the relevant international conventions and protocols relating to terrorism, without delay, in accordance with the relevant Security Council and General Assembly resolutions;
 - c) Enact the necessary domestic legislation and adopt measures for the full incorporation of the provisions of the international conventions and protocols relating to terrorism, and the relevant Security Council and General Assembly resolutions;
4. Request UNODC to continue to provide our respective States with the relevant technical assistance required to:
 - a) Prepare our responses in cooperation with the Committees and their expert groups;
 - b) Ratify/accede to and implement the relevant international conventions and protocols relating to terrorism, and to strengthen international cooperation mechanisms in criminal matters related to terrorism, including through national capacity-building, in cooperation with its relevant partners, in accordance with the resolution 61/40 of 4 December 2006 of the General Assembly;
5. Note with appreciation the hospitality of the Government of Senegal for having hosted this Workshop and the efforts of UNODC, in particular, its Terrorism Prevention Branch (TPB) and the UNODC Regional Office for West and Central Africa (Dakar, Senegal), for the collective action undertaken in the organization of this Workshop;
6. Invite the Government of Senegal to bring this Outcome Document to the attention of the United Nations Security Council and the General Assembly at its sixty-second session.

Adopted in Dakar, 27 September 2007

**General Assembly
Security Council**

Distr.: General
18 October 2007

Original: English

General Assembly
Sixty-second session
Agenda items 106, 107 and 108

Security Council
Sixty-second year

Crime prevention and criminal justice

International drug control

Measures to eliminate international terrorism

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The Permanent Mission of Senegal would be grateful if the Secretary-General could bring the present letter and its annex to the attention of the General Assembly, under agenda items 106, 107 and 108, and of the Security Council.

* Reissued for technical reasons.



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[Original: English and French]

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West and Central African countries to the Security Council
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Dakar, 25 to 27 September 2007

Outcome document

We, the delegates of Benin, Burkina Faso, Cameroon, Cape Verde, Central African Republic, Chad, Congo, Côte d'Ivoire, Equatorial Guinea, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Mauritania, Niger, Nigeria, Sao Tome and Principe, Senegal, Sierra Leone and Togo;

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6. Invite the Government of Senegal to bring this Outcome Document to the attention of the United Nations Security Council and the General Assembly at its sixty-second session.

Adopted in Dakar, 27 September 2007



General Assembly

Distr.: General
11 October 2007

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Sixty-second session

Agenda item 68 (b)

**Elimination of racism and racial discrimination:
comprehensive implementation of and follow-up to
the Durban Declaration and Programme of Action**

Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

Report of the Secretary-General*

Summary

The present report is submitted in accordance with General Assembly resolution A/61/149. It provides an overview of activities undertaken by States, human rights mechanisms and the Office of the United Nations High Commissioner for Human Rights on activities undertaken during the period from August 2006 to July 2007 on the implementation of the Durban Declaration and Programme of Action adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. This report is a follow-up to the previous report of the Secretary-General on this subject (A/61/337), submitted to the General Assembly at its sixty-first session.

* The present report is being submitted after the deadline in order to incorporate the information most recently received.



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I. Introduction

1. In its resolution 61/149, the General Assembly requested the Secretary-General to submit a report on the implementation of the resolution to the Assembly at its sixty-second session. The present report focuses on activities relating to the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action adopted by the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance carried out since the submission of the previous report to the General Assembly (A/61/337).

2. The Office of the United Nations High Commissioner for Human Rights (OHCHR), by note verbale dated 28 March 2007 sent to States and by letter also dated 28 March 2007 sent to United Nations bodies and specialized agencies, international and regional organizations, national human rights institutions and non-governmental organizations, requested information for contributions to the report of the Secretary-General on global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action.

3. In order to facilitate the preparation of replies, a guidance note on contributions was also sent requesting that replies should concentrate on the following questions: (a) has the State developed an action plan to combat racism, racial discrimination, xenophobia or another form of intolerance, or to promote non-discrimination and equality; (b) has the State adopted specific policies to combat racism, racial discrimination, xenophobia or another form of intolerance, or to promote non-discrimination and equality; (c) has the State developed specific forms of cooperation with or has your State contributed to the work of regional bodies or centres that combat racism, racial discrimination, xenophobia or another form of intolerance; (d) has the State adopted measures to counter the dissemination of discriminatory, racist and xenophobic messages on the Internet, in accordance with paragraphs 144 to 147 of the Durban Declaration and Programme of Action, and to promote the positive use of the Internet to foster social harmony and to combat racism; (e) has the State undertaken any other action or adopted any other measures to combat racism, racial discrimination, xenophobia or other forms of intolerance; or to promote non-discrimination and equality (e.g., publications, meetings, campaigns)?

4. The deadline for submissions of contributions was 31 July 2007. OHCHR received replies from 16 States. No information was received from other stakeholders. The replies received are summarized in the present report. Original contributions are available for consultation at the Secretariat. Any additional contributions received after the completion of this report will be included in the report to the General Assembly at its sixty-third session.

II. Contributions received

5. The contributions received concern various measures undertaken by States to implement the Durban Programme of Action and/or to combat various forms of discrimination pursuant to the contents of national constitutions and relevant legislation.

Member States

6. The Government of Angola reported that immediately after the restoration of peace in 2002 it had begun to set up programmes aimed at eliminating the remnants of racism inherited from the colonial era. Those programmes included sensitization through school curriculums and the dissemination of brochures. Additionally, Angola was in the process of updating its legal instruments with a view to eradicating the racist standards which were incorporated therein.

7. The Government of Argentina reported that, pursuant to its 2005 national plan against discrimination, xenophobia and racism, recommendations had been made to revise all of the legislation in effect at that time in order to adapt it to the objectives of the plan, as well as to introduce the issue of discrimination into the legislative agenda. As a result, several laws had been amended, including Law No. 26.160, which declared a state of emergency of four years with the aim of containing the displacement of indigenous populations, reordering territorial rights and regularizing communal property.

8. The Government of Argentina added that, various actions were being undertaken in general to broaden access to justice for indigenous people; identify and rectify discriminatory legal provisions and incorporate new rights; promote the creation of associations for the defence of minorities and vulnerable groups; strengthen administrative institutions created to fight discrimination; develop public policies and programmes to prevent, investigate and punish trafficking in women and children and combat domestic violence; increase the participation of those suffering from disabilities and of rehabilitation professionals in monitoring bodies; establish a special national framework to improve the integration of refugees and their family members; ensure cultural, linguistic and regional diversity in the various communications media; and increase capacity-building and awareness among police officials and health professionals with a view to promoting and implementing human rights and to combating racism and discrimination.

9. The Government of Azerbaijan reported that a national action plan on human rights protection had been adopted on 28 December 2006. Through the implementation of the Plan, Azerbaijan was intending to bring its national laws into conformity with international human rights standards. The Government cited numerous laws and provisions which were in line with the recommendations contained in the Durban Programme of Action and with other global efforts for the elimination of racism, racial discrimination, xenophobia and related intolerance.

10. The Government of Bosnia and Herzegovina reported that it had adopted by succession the International Convention on the Elimination of All Forms of Racial Discrimination. The Government also reported that, although it had not adopted a plan of action to combat racism, racial discrimination, xenophobia and related intolerance, the prohibition of discrimination was built into its national Constitution, which directly incorporates the European Convention on Human Rights and Fundamental Freedoms. Bosnia and Herzegovina referred to the Roma Committee of the Council of Ministers, which was established to combat racism directed against the Roma and to promote tolerance and diversity. The Government also reported that it had established a gender equality agency in 2004 and that it was currently engaged in the process of establishing a council for national minorities to serve as an advisory body to its Parliamentary Assembly.

11. The Government of Cyprus reported that it had ratified most European and international instruments relating to racism. The Government also reported that it had enacted important legislation to harmonize the various European Union Council directives concerning discrimination on various grounds, including Directive 2000/43 on the implementation of the principle of equal treatment irrespective of racial or ethnic origin, as well as the Equal Treatment Law of 2004, No. 59(1)/04, which prohibits discrimination on any of the above grounds in the public and private sectors. In compliance with Directive 2000/43, two separate bodies were created to address issues of discrimination: the Cyprus Anti-Discrimination Body and the Equality Authority, which together constitute the Cyprus Equality Body. This body handles discrimination claims.

12. The Government of Cuba reported that all Cubans, regardless of colour or origin, have the right to free and universal access, without discrimination of any kind, to basic social services such as education and health care, and to one of the world's most overarching systems of social assistance. In addition, all institutional manifestations of racism and racial discrimination have been eradicated throughout all levels of government, and all Cubans without exception enjoy the same rights, with no discrimination whatsoever.

13. The Government of Cuba also reported that its criminal law condemns all actions which inspire ideas or give rise to theories that either allege the superiority of one race or group of people of a certain colour, race or ethnic origin, or whose intent is to justify or promote racial discrimination of any sort or in any manner. Cuba stated that it had achieved important progress in solving various problems, including through the implementation of the Durban Programme of Action.

14. The Government of Croatia reported that the Constitution guarantees equality of treatment to all. Regarding action at the national level, the Government has adopted a series of plans, strategies and policies to ensure the protection of vulnerable groups from discrimination, including the National Policy for the Promotion of Gender Equality in the Republic of Croatia 2006-2010; the National Strategy for Unified Policies for Disabled Persons 2007-2010; the National Programme for Roma 2003; and the Action Plan for the Decade of Roma Inclusion 2005-2015.

15. On the basis of recommendations of the European Commission, and in the light of the negotiating process for accession to the European Union, the Government of Croatia has elaborated a law on the suppression of discrimination and on the establishment of a unique body for the suppression of discrimination. On 30 May 2007, the Government amended the Law on the Ombudsman in order to change the mandate relating to that Office and to create an independent body for equality. Croatia has also joined the Council of Europe All Different-All Equal campaign on diversity, human rights and participation, which is aimed at reinforcing the fight against racism, anti-Semitism, xenophobia and intolerance by a means of awareness-raising campaigns.

16. The Government of France reported that it had established several institutions to combat the evil of racism. Following the entry into force of the legislation adopted on 30 December 2004, France created the High Authority to Fight Discrimination and Promote Equality to address cases involving all forms of discrimination. That independent body, whose mandate is to assess discrimination and equality claims, also plays an important role in the dissemination of information

to combat racism and promote equality as well as in identifying and disseminating good practices. The High Authority reports annually to the President, the Prime Minister and the parliament.

17. The mission of the Interministerial Committee to fight Racism and Anti-Semitism, which was created in 2003, is to ensure that the work of Government ministries is free of racism and anti-Semitism and that the activities and programmes of the various ministries in that field are coherent and effective. Moreover, the National Consultative Commission for Human Rights operates through a working group devoted exclusively to racism-related problems. The working group is composed of representatives from civil society and various ministries, including, in particular, the justice, labour and education ministries. In this connection, the Ministry of Education plays a very important role, not only by incorporating tolerance as a pillar in education, but also by disseminating publications on racism and providing support to students in connection with incidents involving racism.

18. The Government of Germany reported that the fundamental principles on which it bases its political activities include the belief in a free, democratic order and a rejection of all conceivable forms of extremism and racism. Various programmes against right-wing extremism, xenophobia and intolerance have been drawn up and are being implemented, and the German Government will continue to follow up on their implementation.

19. Given the many factors which can contribute to the emergence of right-wing extremist patterns of behaviour, the German Federal Government is pursuing a multidimensional strategy which combines preventive and suppressive elements. Germany views the prosecution of crimes committed via racist propaganda on the Internet as a very important task. With a view to identifying Internet material that is in breach of criminal law and to analyse such material from that perspective, the security authorities in the Federal Republic of Germany carry out random searches on the Internet. In addition, Internet providers are called upon to undertake voluntary self-regulation and control of content and to block criminal sites. In line with its obligations under the Durban Declaration and Programme of Action, in 2003 the German Government forwarded to the United Nations its Report on Ongoing and Planned Measures and Activities of the German Government against Right-Wing Extremism, Xenophobia, Anti-Semitism and Violence (Federal Parliamentary Printed Matter — BT-Drs. — No. 14/9519). That document constitutes a core national action plan.

20. The German Federal Government is currently working on a further draft version of that report, which will be completed before the end of 2007. To combat the influence of racism and xenophobia, the Federal Government also initiates and supports activities within civil society. In this regard, the national action plan will be discussed with civil society in cooperation with the German Institute for Human Rights.

21. The Government of Greece reported that it spares no effort to combat racism. To that end, Greece has incorporated into its Constitution a basic declaration against all forms of discrimination. In addition, Council of Europe directives against discrimination are incorporated into national legislation. The Government has been paying special attention to the Roma community. In this connection, over the past 25 years the Government has undertaken a series of initiatives to integrate that part

of the population by ensuring that they face no discrimination in gaining access to housing, health care and education.

22. The Government provided information in its updated report for 2007, about the integrated action plan for the social inclusion of Greek Roma. The action plan's two priority objectives are the rehabilitation of housing for Greek Roma and the provision of services in the fields of education, health employment, culture and sports. The action plan is coordinated by the alternate Minister for the Interior on the basis of an inter-ministerial committee.

23. The Government of Italy reported that, pursuant to European Union Directive 2000/43/EC, which invited member States to set up bodies to ensure and promote equal treatment, a national office for the promotion of equal treatment and the removal of discrimination based on race or ethnic origin was set up within the Department for Equal Opportunities of the Ministry of Rights and Equal Opportunities. The Directive was incorporated into Italian legislation through legislative decree No. 215/2003.

24. In 2007, the National Office worked at the local level to guarantee adequate support for the victims of discrimination. The Office strengthened its liaison with its focal points in Turin, Milan, Padua, Rome, Naples and Catania with the aim of consolidating activities relating to the reception of and support for victims, data collection, communications and awareness-raising campaigns to combat all forms of racial discrimination.

25. In this context, the Office started a systematic monitoring process covering local observatories acting against discrimination or studying immigration, and information and orientation desks for foreigners in the territory. The purpose of that exercise is to create a network of national bodies working to combat discrimination which will receive legal assistance and scientific support from the Office when they provide information on discriminatory practices at the local level.

26. Regarding racism in sports, the National Monitoring Centre on Sports Events, which was set up within the Ministry of the Interior with the task of devising and implementing essential strategies to fight the phenomenon of violence in stadiums, recently published some updated information concerning the implementation of Act No. 41/2007.

27. The Government of Kuwait asserted that it had consistently expressed its profound concern and unequivocal condemnation of all forms of racism and racial discrimination, including related acts of racially motivated violence and xenophobia. The Government reported that it guarantees that measures taken to combat terrorism at the national level do not discriminate in purpose or effect on grounds of race, religion or descent. Kuwait has adopted appropriate legislative, regulatory and administrative measures to prevent acts of racism and racial discrimination. The Kuwaiti Constitution, in articles 7 and 29, enunciates the principles of equality and freedom. There are no provisions in any legislation that contravene those two articles.

28. The Government of Lebanon reported that the Ministry of Labour devotes due attention to the question of global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance, regarding non-discrimination or differentiation between nationals and foreigners who are legal residents of Lebanon. Equality before the law in employment is provided for under the Labour Code, as

amended by Act No. 207 of 26 May 2006, which provides that an employer may not discriminate on grounds of gender with regard to type of work, rate of pay, employment status, promotion, vocational training or attire.

29. The Government of Mauritius reported that a truth and justice commission was being established to set out the facts regarding slavery and indentured labourers. The Government considered that that exercise would enable the country to move forward. Moreover, in 2001, the Government declared 1 February — the date of the abolition of slavery in Mauritius in 1835 — a public holiday. The holiday is intended to promote universal awareness of the tragedy of the slave trade and its consequences.

30. The Government of Romania reported that it had adopted several measures to eliminate all forms of racism. The Government asserted that it had adopted several ordinances from 2000 through 2004 aimed at preventing and fighting racism, prohibiting organizations and symbols of a racist, fascist or xenophobic nature and promoting gender equality.

31. The above-mentioned ordinances were subsequently amended and supplemented as the Ordinance to Prevent and Punish All Forms of Discrimination and included, for instance, Ordinance No. 137/2000, which reaffirms the principle of equality and the elimination of discrimination. In Romania, the goal of eliminating all forms of discrimination is being achieved by putting in place special measures to protect minorities and punishing active and passive behaviours which result in the unjust or degrading treatment of a person, group or community.

32. Ordinance No. 77/2003 to Prevent and Punish All Forms of Discrimination expanded the meaning of discrimination as follows: "any distinction, exclusion, restriction or preference based on race, nationality, ethnicity, language, religion, social class, beliefs, gender, sexual orientation, age, disability, non-contagious chronic illness, HIV infection or belonging to a disadvantaged category which is aimed at or results in a restriction or removal of recognition, use or exercise, under conditions of equality, of human rights and fundamental freedoms or of the rights recognized by law, in the political, economic, social and cultural field or in any other fields of public life".

33. The Government of Serbia reported that the provisions of the European Convention on Human Rights and Fundamental Freedoms had been incorporated into its Constitution. Serbia reported that the Roma Committee, which addresses issues of racism affecting the Roma community, as well as the establishment of the National Minority Council as an advisory body, will further serve to promote tolerance and respect for diversity.

III. Update on activities

34. Below is a summary of various developments during the year concerning the implementation of the Durban Declaration and Programme of Action.

A. United Nations human rights mechanisms

35. During its seventieth and seventy-first sessions, held, respectively, from 19 February to 9 March and from 30 July to 17 August 2007, the Committee on the Elimination of Racial Discrimination adopted concluding observations following consideration of 2 initial reports and 12 periodic reports of States parties to the International Convention on the Elimination of All Forms of Racial Discrimination. It also adopted concluding observations under its review procedure concerning the implementation of the Convention in one State party that has not submitted a report for more than 10 years. The Committee reminded each State party with which it held a dialogue to continue to take into account the relevant parts of the Durban Declaration and Programme of Action when implementing the Convention and to include in its next periodic report information on national action plans or other measures taken to implement the Durban Declaration and Programme of Action. The Committee also adopted one opinion on the merits and two negative opinions on admissibility regarding individual communications submitted in accordance with article 14 of the Convention.

36. At its seventieth session, the Committee adopted a study on possible measures to strengthen implementation through additional recommendations or the update of its monitoring procedures, to be transmitted to the Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action at its fifth session, which was held from 3 to 7 September 2007. The Committee also held a dialogue with the five experts entrusted with the preparation of the study on the content and scope of substantive gaps in the existing international instruments to combat racism, racial discrimination, xenophobia and related intolerance on complementary standards of the Intergovernmental Working Group. At its seventy-first session, the Committee decided that it would hold a thematic debate on the issue of double discrimination on the grounds of race and religion during its seventy-third session, to be held from 28 July to 15 August 2008. It also entrusted two members with the drafting of a new general recommendation on special measures. Furthermore, at its seventy-first session, the Committee adopted new guidelines for its early warning and urgent action procedure, as well as new guidelines designed to assist States parties in the drafting of their reports.

37. The activities of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance can be grouped around three axes: the reports submitted to the Human Rights Council at its fourth and fifth sessions; coordination activities with other human rights mechanisms; and participation in various meetings and conferences, including those on racism in sport. The reports submitted to the Council include the report on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (A/HRC/4/19); the updated report on political platforms which promote or incite racial discrimination (A/HRC/5/10); and the reports on country visits to Switzerland (A/HRC/4/19/Add.2), the Russian Federation (A/HRC/4/19/Add.3) and Italy (A/HRC/4/19/Add.4).

38. In his general report (A/HRC/4/19), the Special Rapporteur brought to the attention of the Council the persistence of serious manifestations of racism, racial discrimination, xenophobia and related intolerance. The report on political platforms which promote or incite racial discrimination (A/HRC/5/10) provides an update on the reports on that issue previously submitted to the Commission on Human Rights

(E/CN.4/2006/54, E/CN.4/2004/61) and to the General Assembly (A/59/330). The report confirms the serious tendencies identified in the preceding reports, especially as regards the banalization of racism, racial discrimination, xenophobia and related intolerance. In his recommendations, the Special Rapporteur underlined the role of strong political will and of ethical vigilance to counter, through effective political programmes, the scourges of racism, racial discrimination, xenophobia and related intolerance.

39. Regarding coordination activities in the implementation of other human rights measures, the Special Rapporteur has strengthened his collaboration with the OHCHR Anti-Discrimination Unit through regular consultations and by participating in many of its activities, including a panel on racial profiling that was held during the sixth session of the Working Group of Experts on People of African Descent, which met in Geneva from 29 January to 2 February 2007; a high-level panel discussion on the theme "Racism and discrimination: obstacles to development", held in Geneva on 21 March 2007 on the occasion of the International Day for the Elimination of Racial Discrimination; and a series of activities organized in Nepal by the Unit and the OHCHR office in Nepal with a view to assisting that office in furthering its work on social exclusion and discrimination. The Special Rapporteur highlighted the importance of his participating actively, in cooperation with the Anti-Discrimination Unit, in the preparatory activities for the Durban Review Conference scheduled for 2009.

40. The Special Rapporteur participated in the fourteenth annual meeting of special rapporteurs, representatives, independent experts and chairpersons of working groups of the Human Rights Council, held in Geneva from 18 to 22 June 2007. The Special Rapporteur took part in several side events in parallel with the meeting, including a briefing on the International Convention on the Rights of Persons with Disabilities; a consultation on cooperation with national human rights institutions; and a consultation with United Nations agencies on questions relating to minorities.

41. The Special Rapporteur took part in several conferences and meetings at the invitation of Governments and civil society organizations on issues relevant to his mandate. Such events included, among others, the Race Convention 2006, held in London on 27 and 28 November 2006 on the occasion of the thirtieth anniversary of the creation of the Commission for Racial Equality; a seminar on the theme, "World civilization or clash of civilizations? Multicultural London: does it work?" on 20 January 2007; the first Strategic Congress of the Board of the European Network against Racism, a platform of 600 European non-governmental organizations (NGOs) working to combat racism in all European Union member States, which was held in Berlin from 20 to 22 April 2007; the general conference of the European Coalition of Cities against Racism, held in Nuremberg, Germany, from 10 to 12 May 2007; the fourth International Human Rights Forum Lucerne, devoted to the theme of human rights and children, held in Lucerne, Switzerland, on 24 and 25 May 2007; the second Global Inter-Media Dialogue, held in Oslo on 4 and 5 June 2007 at the initiative of the Governments of Indonesia and Norway; and the conference on combating discrimination and promoting mutual respect and understanding, organized by the Organization for Security and Cooperation in Europe and held in Bucharest on 7 and 8 June 2007.

42. Concerning racism in sports, and in soccer in particular, the Special Rapporteur considers that this problem requires an important collaboration between the General Assembly and the Human Rights Council towards an educational strategy based on fair play.

43. Turning to country visits to Switzerland (A/HRC/4/19/Add.2), the Russian Federation (A/HRC/4/19/Add.3) and Italy (A/HRC/4/19/Add.4), the Special Rapporteur provided details on his findings and made various recommendations to the respective Governments.

44. The Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action held the first part of its fifth session from 5 to 9 March 2007. During that part of the session, the Working Group examined the role of national action plans in strengthening national programmes for eradicating racism and maximizing the benefits of diversity. The Working Group also held a preliminary exchange of views with the five experts selected to conduct a study on complementary international standards pursuant to Human Rights Council resolution 1/5 of 30 June 2006.

45. The Working Group held the second part of its fifth session from 3 to 7 September 2007. The second part of the session was devoted entirely to the study on complementary international standards. The Committee on the Elimination of Racial Discrimination presented a study on possible measures to strengthen implementation through optional recommendations or the update of its monitoring procedures (A/HRC/4/WG.3/7). The five experts also presented a study on the content and scope of substantive gaps in the existing international instruments to combat racism, racial discrimination, xenophobia and related intolerance (A/HRC/4/WG.3/6).

46. In this regard, the Working Group invited States to further consider the recommendations made by the Committee on the Elimination of Racial Discrimination in its study. The Working Group also held an interactive dialogue with the five experts on their study and will transmit the study to the Human Rights Council pursuant to Human Rights Council resolution 1/5 and decision 3/103.

47. The Working Group adopted recommendations and conclusions on the second part of the fifth session. Those recommendations and the recommendations adopted during the first part of the session will be included in the report on the fifth session of the Intergovernmental Working Group, which will be submitted to the Human Rights Council.

48. The Working Group of Experts on People of African Descent held its sixth session from 29 January to 2 February 2007. The Working Group provided details relating to its examination of the theme of racial profiling as a violation of the right to non-discrimination. The conclusions and recommendations of the Working Group are contained in its report to the Human Rights Council (A/HRC/4/39).

B. Activities of the Office of the United Nations High Commissioner for Human Rights

49. The Office of the United Nations High Commissioner for Human Rights continues its work towards the effective implementation of the Durban Programme of Action, particularly through the activities of its Anti-Discrimination Unit. The

Office provides assistance to international and national actors in their work in countering racism, racial discrimination, xenophobia and related intolerance and support for the mechanisms established to follow up on the Durban Declaration and Programme of Action. The Office provides substantive and organizational support to the Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action, the Working Group of Experts on People of African Descent and the group of independent eminent experts. OHCHR also provides support for the sessions of the preparatory committees towards the organization of the Durban Review Conference. The report (A/CONF.211/PC.1/L.3) of the first Preparatory Committee for the Durban Review Conference, which held its first organizational session in Geneva from 27 to 31 August 2007, will be transmitted to the General Assembly.

50. OHCHR continued its practice of sharing information on a regular basis and facilitating the participation of stakeholders in meetings, seminars and workshops which the Anti-Discrimination Unit convenes or to which it is invited.

51. OHCHR participated in an expert seminar on the theme of regional standards and mechanisms to combat discrimination and to protect the rights of minorities organized by the independent expert on minority issues. Held on 29 and 30 January 2007, in Washington D.C., the objectives of the seminar were, inter alia, to identify best practices in international law to be made available to regional organizations, specifically to the Organization of American States in formulating new mechanisms to promote, monitor and protect rights with respect to minorities and other groups facing racism and other forms of discrimination and to make a substantive contribution to the ongoing process of developing a regional convention in the Americas. As intended, the seminar was conducted in an informal and free-flowing manner aimed at generating an interactive dialogue, and no effort was made to build consensus around a general set of recommendations. A summary record of the meeting reflecting the proceedings was made available to the participants for follow-up action.

52. OHCHR participated in the conference, held under the auspices of the United Nations Educational, Scientific and Cultural Organization, organized by the European Coalition of Cities against Racism and held on 11 and 12 May 2007 in Nuremberg, Germany. The Conference brought together cities, municipalities and NGOs engaged in combating racism and discrimination. Approximately 300 participants take part in the activities of the Coalition, which includes approximately 60 municipalities in 14 countries. The Conference adopted recommendations for submission to municipal authorities on concrete actions which could be undertaken to mitigate racism and discrimination in education, employment, housing and health.

53. To commemorate the International Day for the Elimination of Racial Discrimination on 21 March 2007, OHCHR in Geneva, in New York and in the field organized activities in connection with this year's theme, "Racism and discrimination: obstacles to development". It was recognized that development as a comprehensive economic, social, cultural and political process is aimed at constantly improving the well-being of the human person and societies and that racism and other forms of discrimination not only violate human rights but constitute major obstacles to achieving development. In the light of that consideration, OHCHR organized, on 21 March, a high-level panel discussion on

the interrelationship between racism and other forms of discrimination, development, poverty, economic growth, good governance and conflict.

54. The panels brought together outstanding speakers, who discussed racial discrimination and development as a chain reaction and engaged in discussions on the relationship between racial discrimination and poverty; the relationship between racial discrimination and good governance; and the relationship between racial discrimination and economic growth.

55. OHCHR organized, in Nepal from 23 to 27 April 2007, an experts' advice mission on social exclusion and long-standing discrimination. The mission was intended to assist OHCHR in Nepal in refining its policy and strategy in providing assistance to the Government in addressing social exclusion, discrimination and inequality. The mission was composed of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance; the Special Rapporteur on human rights of indigenous peoples; and two experts on discrimination based on work and descent of the Sub-Commission on the Promotion and Protection of Human Rights. The mission was also intended to provide an opportunity for various local partners and stakeholders to conduct dialogues with the Special Rapporteurs and the experts on issues of concern relating to equality and non-discrimination. The conclusions of the mission will assist OHCHR in Nepal in enhancing its capacity to support the Government of Nepal.

IV. Conclusions

56. Because combating racism requires a multifaceted approach, the adoption of relevant legislation and the amendment of existing laws and their implementation, combined with action at the national level based on strategies elaborated through national action plans, constitute important means of pursuing that objective effectively.

57. An increased number of communications from Member States, United Nations bodies and specialized agencies, international and regional organizations, national human rights institutions, and non-governmental organizations on their efforts for the elimination of racism would allow for a more comprehensive assessment of progress achieved and challenges that remain to be addressed.



General Assembly

Distr.: General
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Sixty-second session
Agenda item 8
General debate

**Letter dated 2 October 2007 from the Permanent Representative
of the United Kingdom of Great Britain and Northern Ireland
to the United Nations addressed to the President of the
General Assembly**

I have the honour to transmit herewith the text of the written statement of the delegation of the United Kingdom in exercise of the right of reply to the remarks made by Navinchandra Ramgoolam, Prime Minister of the Republic of Mauritius, on 28 September 2007 in the General Assembly (see annex).

I should be most grateful if you could arrange to have the present letter and its annex circulated as a document of the General Assembly, under agenda item 8.

(Signed) John Sawers
Permanent Representative
United Kingdom of Great Britain and Northern Ireland



Annex to the letter dated 2 October 2007 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the General Assembly

Statement of the delegation of the United Kingdom of Great Britain and Northern Ireland in exercise of the right of reply to the remarks made by the Prime Minister of Mauritius in the general debate on 28 September 2007

The British Government maintains that the British Indian Ocean Territory is British and has been since 1814. It does not recognize the sovereignty claim of the Mauritian Government.

However, the British Government has recognized Mauritius as the only State which has a right to assert a claim of sovereignty when the United Kingdom relinquishes its own sovereignty.

Successive British Governments have given undertakings to the Government of Mauritius that the Territory will be ceded when no longer required for defence purposes.

The British Government remains open to discussions regarding arrangements governing the British Indian Ocean Territory or the future of the Territory. The British Government has stated that when the time comes for the Territory to be ceded it will liaise closely with the Government of Mauritius.

The British Government values its close and constructive cooperation with the Government of Mauritius on a wide range of issues and looks forward to this continuing.



General Assembly

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15 October 2007
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Original: Chinese

Sixty-second session

Agenda item 120

Implementation of the resolutions of the United Nations

Letter dated 5 October 2007 from the Permanent Representative of China to the United Nations addressed to the Secretary-General

At the just concluded general debate of the sixty-second session of the General Assembly, Nauru, Gambia and a very small number of other countries, at the instigation of the Taiwanese authorities, once again agitated to raise the putative question of "Taiwan's membership in the United Nations". They took advantage of the hallowed forum of the United Nations to engage in activities aimed at dividing China, thus grossly interfering in China's internal affairs. The Chinese Government and people condemn and firmly oppose this action. I would like to state our position on this issue as follows.

1. There is only one China in the world. From time immemorial Taiwan has been an integral part of China's territory. The "one China" principle is widely recognized by the United Nations and the vast majority of its Member States. Although China is not yet reunited, the fact that both the mainland and Taiwan belong to one and the same China has never changed. China's sovereignty and territorial integrity brook no division.

As long ago as 1971, by its resolution 2758 (XXVI), the General Assembly resolved once and for all the issue of China's representation at the United Nations from political, legal and procedural standpoints. The United Nations is an intergovernmental organization composed of sovereign States. As a region of China, Taiwan is not entitled to United Nations membership under any name whatsoever. Now the General Committee and the plenary Assembly at its sixty-second session have once again rejected, by an overwhelming majority, inclusion of the putative issue of "Taiwan's membership in the United Nations" in the agenda of the General Assembly. This fully reflects the position of the United Nations and a great many of its Member States in adhering to the "one China" principle, upholding the purposes and principles of the Charter of the United Nations and abiding by General Assembly resolution 2758 (XXVI). Any attempt to deny historical facts and distort resolution 2758 (XXVI) is doomed to failure.

2. Our 23 million compatriots in Taiwan form part of the Chinese population of 1.3 billion and Taiwan belongs to the entire Chinese people. No one in the entire world is more concerned than the Chinese Government and people about



the future prospects and the interests of our 23 million compatriots in Taiwan. The Chinese Government has unswervingly adhered to the fundamental principle of "peaceful reunification and one country, two systems", and has committed itself to maintaining peace and stability across the Taiwan Straits, delivering benefits to compatriots on both sides of the Straits and striving for the prospect of peaceful reunification. We have taken a number of important steps to promote cross-Straits contacts and cooperation and to advance the peaceful and steady development of cross-Straits relations. These have been welcomed by our compatriots on the two sides of the Taiwan Straits and earned the approbation of the international community. As the evidence abundantly demonstrates, it is the shared and heartfelt aspiration of the compatriots on either side for there to be mutual respect and reciprocal benefit across the Straits, as well as strengthened people-to-people contacts and cooperation, in economic and trade matters and other areas, and for the two sides to work together to safeguard peace and stability in the Straits and to build a radiant future of peace, stability, development and prosperity.

That said, however, the Taiwanese authorities, in pursuit of their own selfish political interests and in blithe disregard of the opposition from compatriots on both sides of the Taiwan Straits and from the international community, have obdurately stuck to the path of "independence for Taiwan" and deliberately engineered cross-Straits confrontation. They have undermined peace and stability across the Taiwan Straits, stepped up their separatist activities in pursuit of "independence for Taiwan", and attempted to seek the "de jure independence of Taiwan" through "constitutional reform" and a "referendum on Taiwan's membership in the United Nations". On repeated occasions, the Taiwanese authorities have also induced a small handful of countries to engage in the subterfuge of sending letters to the United Nations and start clamouring for Taiwan's putative membership in the United Nations, in a blatant provocation aimed at "independence for Taiwan". The separatist advocates of "independence for Taiwan" and their reckless activities, if not curbed in time, will bring cross-Straits relations to the brink of collapse, seriously undermine China's sovereignty and territorial integrity, and gravely imperil peace and stability in the Taiwan Straits, the Asia-Pacific region and even the world at large. China resolutely opposes separatist activities of any form aimed at "independence for Taiwan" and will never countenance the separation of Taiwan from China by anyone in any guise.

3. It is the shared desire and firm resolve of the 1.3 billion-strong population of China, including our compatriots in Taiwan, to safeguard the country's sovereignty and territorial integrity and to attain its full reunification at the earliest juncture. This resolve cannot be shaken or thwarted by any person or any force. The question of Taiwan is a purely internal matter for China and can only be resolved by the Chinese people themselves, on both sides of the Taiwan Straits. Any issue of principle concerning China's sovereignty and territorial integrity must be settled by the entire Chinese people. We strongly urge Nauru, Gambia and those few other countries to abide by the purposes and principles of the Charter of the United Nations and General Assembly resolution 2758 (XXVI), to align themselves with the great majority of Member States on the Taiwan question, and to refrain from pursuing their own selfish interests and seeking temporary gain by letting themselves be exploited by separatist forces advocating "independence for Taiwan".

I have the honour to request that the present letter be circulated as a document of the sixty-second session of the General Assembly, under item 120 of the agenda.

(Signed) **Wang Guangya**
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of the People's Republic of China to
the United Nations



General Assembly Economic and Social Council

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English
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General Assembly Sixty-second session

Agenda items 50, 54 (a), 54 (b), 54 (c), 55, 58 (a), 60, 64 (a) and 119

The role of the United Nations in promoting a new global human order

Sustainable development: implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the outcomes of the World Summit on Sustainable Development

Sustainable development: follow-up to and implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States

Sustainable development: International Strategy for Disaster Reduction

Implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II) and strengthening of the United Nations Human Settlements Programme (UN-Habitat)

Eradication of poverty and other development issues: implementation of the first United Nations Decade for the Eradication of Poverty (1997-2006)

Training and research: United Nations Institute for Training and Research

New Partnership for Africa's Development: progress in implementation and international support

Commemoration of the two-hundredth anniversary of the abolition of the transatlantic slave trade

Economic and Social Council Substantive session of 2007

Agenda item 6 (a)

Implementation of and follow-up to major international United Nations conferences and summits: follow-up to the International Conference on Financing for Development



**Letter dated 10 October 2007 from the Permanent Representative
of El Salvador to the United Nations addressed to the
Secretary-General**

I have the honour to forward to you the official letter dated 4 October 2007 from the Minister for Foreign Affairs, Francisco E. Laínez, expressing his thanks for the valuable assistance provided by the Department of Economic and Social Affairs of the United Nations in the preparations for the Second International Conference on Development Cooperation with Middle-Income Countries held in El Salvador on 3 and 4 October 2007 (see annex).

In that regard, on the instructions of my Government, I have the honour to request that this letter and its annex be circulated as documents of the General Assembly and the Economic and Social Council and in connection with the themes of the High-level Dialogue on Financing for Development to be held on 23 and 24 October 2007 in New York.

(Signed) Carmen María Gallardo Hernández
Ambassador
Permanent Representative

Annex to the letter dated 10 October 2007 from the Permanent Representative of El Salvador to the United Nations addressed to the Secretary-General

4 October 2007

I have the honour to thank you for the valuable assistance provided by the Department of Economic and Social Affairs of the United Nations in the preparations for the Second International Conference on Development Cooperation with Middle-Income Countries, which was held with great success in our country on 3 and 4 October 2007 and at which the United Nations was ably represented by Mr. Oscar de Rojas, Mr. Ricardo Espina and Mr. Cristian Ossa.

The Conference was attended by more than 67 delegations, including 40 delegations from countries either donors or recipients of cooperation in the middle-income category and more than 17 international organizations and financial institutions, who participated actively during two days of lively debate conducted in four round tables on the themes of financial cooperation, strengthening South-South cooperation for institutional development and public social development policy, technological development cooperation and fostering middle-income countries' competitive advantages.

We believe that the Conference yielded very positive results. The participants unanimously adopted a consensus document intended to heighten the international community's awareness of the importance of continued support for middle-income countries in their efforts to overcome poverty and achieve the Millennium Development Goals in a timely fashion. In addition, the international community was urged to consider new criteria for granting assistance to middle-income countries and to develop new and innovative mechanisms to provide the kind of targeted cooperation required in order to consolidate the progress achieved by middle-income countries on the road to development.

A point strongly endorsed by all participants was the decision to place this important issue on the agendas of international organizations and institution so that it can be seriously addressed and measures offering an effective response to this call can be put into effect as rapidly as possible.

In the light of the foregoing, and in view of the importance of the work being done at the United Nations, we believe that now, as preparations are under way for the follow-up to the International Conference on Financing for Development, it is an opportune moment for the Secretary-General of the United Nations to have a legislative mandate to provide the necessary support for the development of this topic and for the item to be included on the agenda.

For that purpose, and to bring it to the attention of all States Members of the United Nations, I have the honour to transmit a copy of the Consensus of El Salvador and the executive summary setting forth in general terms our analysis of the issue of international development cooperation with middle-income countries (see enclosures I and II). We will also be sending a report in due course summarizing the content of the debates.

I should be grateful if you could arrange to have these documents circulated as documents of the General Assembly and the Economic and Social Council and in

connection with the themes of the High-level Dialogue on Financing for Development to be held on 23 and 24 October 2007 in New York.

In the case of the General Assembly, I should be grateful if these documents could be included among the documents for the sixty-second session under agenda items 50, 54 (a), (b) and (c), 55, 58 (a), 60, 64 (a) and 119 of the agenda.

In the case of the Economic and Social Council, I should be grateful if these documents could be circulated during its substantive session of 2008 under agenda item 6 (a) and also for the special high-level meeting with the Bretton Woods institutions, the World Trade Organization and the United Nations Conference on Trade and Development to be held in 2008.

(Signed) Francisco E. Laínez
Minister for Foreign Affairs

Enclosure I

[Original: English, French and Spanish]

Consensus of El Salvador on Development Cooperation with Middle-Income Countries

On 3 and 4 October, 2007 the Second International Conference on Development Cooperation with Middle-Income Countries was held in El Salvador. The conference represented a follow-up to a meeting on the same topic held in Madrid on 1 and 2 March 2007.

The conference sought to specify the characteristics and development needs of middle-income countries and to move forward in developing an appropriate and specialized response to these countries on behalf of the international community, with respect to the rationale, the focus, the contents and the cooperation instruments to be used. The conference also considered the role of the various players involved in cooperation with middle-income countries: donors, international agencies and recipient countries.

The conference devoted its primary attention to the operational aspects and instruments of development cooperation with middle-income countries, and their implications for the international cooperation system. It sought to increase awareness among the international donor community of the importance of continued support for middle-income countries in their efforts to achieve sustained development, by placing cooperation with these countries squarely on the international agenda.

This document, adopted with a view to achieving these objectives, reflects the consensus reached by all participants in the conference.

We, the Heads of Delegation gathered in El Salvador on the occasion of the Second International Conference on Development Cooperation with Middle-Income Countries, consider:

- 1. That the international community's commitment to achieve the Millennium Development Goals in a timely fashion includes a basic premise of development cooperation: the eradication of poverty.*
- 2. That in order to achieve internationally agreed development goals, support for middle-income countries must be strengthened and new and innovative cooperation mechanisms must be developed to bolster the efforts of these countries.*
- 3. That the development of middle-income countries is hindered by disparities existing within them; redressing such disparities is the primary responsibility of their governments with the support of bilateral and multilateral cooperation donors, which represents an important component of their development.*
- 4. That particular importance is attached to the agreements contained in the Paris Declaration on Aid Effectiveness, which set forth five basic principles: ownership, alignment, harmonization, managing for results, and mutual accountability.*

5. *That if there is to be a coherent and effective international cooperation system, it must provide support for middle-income countries in their development efforts, to consolidate their achievements as they move forward and to avoid reversals, recognizing not only the intrinsic importance of the countries included in this category but also the positive impact that their development can have on the international system as a whole.*
6. *That the diversity of conditions, characteristics and needs of developing countries makes it advisable to consider necessary additional criteria, besides per capita income, for a more appropriate and targeted allocation of international cooperation resources, within the framework of the alignment and harmonization of international cooperation.*
7. *That the particular characteristics of the middle-income countries imply the need to revise the forms and instruments of international cooperation and finance and to redefine the role of players in the current cooperation system in accordance with each country's public policies.*
8. *That one additional route for international cooperation is to promote South-South cooperation, with more active support for horizontal and triangular forms of cooperation; and also to bolster regional cooperation in the realm of social and macroeconomic dialogue, of financial cooperation and technical assistance.*
9. *That there should be greater scope for public-private partnerships, promoting and ensuring a stronger commitment for the continuity of means of corporate social responsibility, accountability and transparency, supplementary funding programmes, and new and innovative financial mechanisms.*
10. *That the importance of migration and its impact on growth and international equality is such that countries should commit themselves to responsible management of migration flows in ways that will maximize their benefits for both origin and host countries.*
11. *That the existence of global public goods and their implications on the development of international cooperation donor and recipient countries require an appropriate implementation of international cooperation to face this challenge.*
12. *That cooperation with middle-income countries requires a cooperative effort at an international level, with bilateral and multilateral cooperation organizations and a productive dialogue in which middle-income countries have a greater voice and a more effective participation in multilateral institutions' decision-making processes, so that their concerns are more adequately addressed, particularly within the United Nations system and in international financial organizations. Likewise, a greater effort is necessary so that the interests and concerns of middle-income countries are properly addressed in multilateral institutions that take international economic decisions.*

On the basis of the above considerations, we urge the international community to:

1. *Continue its cooperation with middle-income countries in furthering the fundamental aspects of their development.*
2. *Support national development efforts of middle-income countries to achieve the Millennium Development Goals, emphasizing poverty eradication and the combat against inequality.*

- 3. Consider additional criteria, other than per capita income, in order to allocate international cooperation resources in accordance with the specific characteristics of middle-income countries and to define effective responses consistent with the conditions and needs of each country.*
- 4. Promote the adoption of new and innovative forms and instruments of international cooperation and financing for middle-income countries that include new assistance programmes in addition to current bilateral and multilateral flows that assist them effectively in their efforts to reduce poverty and inequalities, as well as encourage their sustainable development and consolidate their progress achieved.*
- 5. Support more actively those horizontal and triangular cooperation initiatives as well as regional cooperation processes among middle-income countries.*
- 6. Pay special attention to the issue of international development cooperation with middle-income countries and to include it in the agendas of international fora and organizations, multilateral development institutions, and the international financial system, in order to develop comprehensive cooperation policies with middle-income countries and to implement them jointly and effectively.*
- 7. Continue analysis and discussion efforts in the pursuit of cooperation that has an effective and efficient incidence in the development process of middle-income countries in a framework of international solidarity.*
- 8. Promote policies for the creation of employment and decent work for all, and the improvement of opportunities so that men and women can have productive work under the conditions of liberty, equality, security and human dignity.*

We would like to extend our gratitude to the People and the Government of El Salvador for their warm welcoming reception and for the initiative and organization of this Conference.

Enclosure II

[Original: English, French and Spanish]

International Conference on Development Cooperation with Middle-Income Countries

El Salvador, 3 and 4 October 2007

Executive summary

To ensure coherent and effective progress along the path to development, the international cooperation system will have to provide, through flexible mechanisms, support for the efforts that all countries are making on behalf of their economic and social development. Nevertheless, the needs and requirements of middle-income countries (MICs) are different from those of poorer countries, and consequently the objectives and strategies of international cooperation with MICs must be different as well. This demands a new creative effort to define the most appropriate set of cooperation policies and instruments for this group of countries.

The MICs represent 47% of the world's population, and 41% of people living in poverty on less than two dollars a day. In many of these countries the economic growth path has been marked by instability. That instability often translates into high economic and social costs, and can even set back their levels of development. Moreover, these countries are frequently subject to great environmental vulnerability and recurring natural disasters, which make it even more difficult to stay on the path to progress.

There are several reasons for providing more decisive international support to MICs. In the first place, the progress of this group of countries helps bring stability and boost growth in the world economy. Second, a more active international cooperation policy with MICs would seem necessary in order to achieve a swifter reduction in world poverty levels. Third, such support is needed to prevent backsliding in the social and economic achievements of MICs. Fourth, it can consolidate poles of development in various regions of the developing world. Fifth, it will facilitate the provision of international public goods such as preventing contagious diseases, and maintaining peace, financial stability and environmental sustainability. Finally, it is essential for avoiding the perverse incentives and the moral hazard inherent in excluding from the cooperation system those countries that through their efforts have achieved significant economic and social improvements.

In fact, the situations of MICs differ greatly, and each case deserves detailed study. Nevertheless, there are four issues that can be identified as crucial for the individual and collective progress of MICs: (i) consolidating effective institutions that can foster appropriate collective action; (ii) reducing their external financial vulnerability in tandem with the strengthening of their internal financial systems; (iii) improving their competitive capacity by promoting economic transformation and technological development; and (iv) seizing more effectively the development

opportunities offered by migration. These four issues featured prominently in discussion during the first conference on MICs, held in Madrid on 1 and 2 March 2007.

Just as there is solid justification for maintaining cooperation with MICs, it is important to enlist these countries more actively in international assistance. As they achieve greater development expertise, MICs should play a more intense role in South-South cooperation, both with low-income countries and with other MICs.

This growing involvement of MICs will entail some reforms to the international cooperation system, with the effective participation of all stakeholders. Recent years have seen progress in reforming aid in ways that defend the basic principles, such as ownership, alignment, harmonization, managing for results, and mutual accountability, that make assistance more effective. Nevertheless, cooperation is still burdened by the asymmetries that have characterized the relationship between donors and recipients. Moreover, it must be recognized that the developing world has become more varied and more complex, which suggests that the responses of international cooperation should be modulated in accordance with recipient countries' specific conditions and needs. This calls not for a rigid policy of abrupt graduation, but rather for a gradualist strategy in dealing with these countries. That strategy could include aid guidelines for relatively homogeneous groups of developing countries that would take account of factors that go beyond Gross Domestic Product alone.

Because outside assistance carries limited weight in the GDP of most MICs, it is unlikely to be a key factor in their development strategies. Nevertheless, it can play a significant role in facilitating reforms, or as a mechanism for relaxing a country's financial constraints.

A major part of cooperation with MICs consists of advisory services and technical assistance, and support in designing policies and strengthening institutions. Experience in this regard shows the need to avoid the errors of the past, such as (i) the mechanical transfer of experience from donors without taking into account the recipient's circumstances and conditions; (ii) excessive reliance on expatriate personnel; (iii) the insistence on immediate results in processes that require progressive consolidation to reach maturity; and (iv) a limited understanding of the keys to successful institutional change.

International cooperation with MICs needs to move into new areas such as (i) supporting scientific and technological development; (ii) agreements to promote international investment; (iii) better conditions of market access; (iv) policies and measures to create a more stable international environment; (v) adjusting the regulatory frameworks that govern international economic relations; and (vi) support for South-South cooperation and triangular cooperation.

One way to encourage a greater role for MICs in the cooperation system is to promote South-South cooperation. Cooperation of this kind has many advantages, including (i) the greater economic, geographic and cultural proximity of the countries involved; (ii) the stronger sense of ownership that horizontal relations can foster; (iii) lower intervention costs vis-à-vis conventional North-South cooperation; (iv) increasing the volume of resources available for cooperation, to the

extent the new cooperation is supplementary; and (v) the dual dividend that will accrue from bolstering the technical and institutional capacities both of the donor (in preparing itself to provide assistance) and of the beneficiary. All of this argues for additional support in terms of triangular cooperation that will assure an adequate level of resources for this purpose. There is also room for analysis and evaluation of this kind of cooperation and its modalities in order to derive systematic information on progress and good practices in the various examples of South-South cooperation and triangular cooperation.

Beyond bilateral South-South cooperation and the encouragement of triangular cooperation, there is also a need to reinforce the efforts that MICs are making in the context of regional cooperation schemes. This form of cooperation has traditionally been pursued in the areas of peacebuilding, humanitarian action and reconstruction, technical cooperation, macroeconomic dialogue and management, and development financing. In short, these approaches all reflect the variety of dimensions and innovation in the South-South cooperation process.

When it comes to implementing international support, it is important for MICs to programme their policy objectives, i.e. the national development strategy that will guide external cooperation, in advance. This will serve to reinforce the sense of ownership over the programmes supported, provide a more appropriate working framework for donors' activities, and encourage donors to accept the discipline of coordinating their efforts.

Whatever the form that bilateral and multilateral cooperation takes with MICs, it would be useful to have a study to define instruments, assess experience, and identify good practices and recommendations. This is a task that the OECD Development Assistance Committee (DAC) could undertake in collaboration with MIC representatives.

On the MIC development agenda, the promotion of social cohesion and democratic governance should be one of the priority topics. Institutional weaknesses and the lack of social cohesion make it difficult for governments to establish a solid fiscal base. This in turn impedes government efforts to bolster governance through social progress and the reduction of inequality. When it comes to this area of cooperation, it must be recognized that there are no universally optimum institutional recipes. Institutional responses must be specific to the context and they must enjoy sufficient social backing. In the midst of acute inequality it is difficult for institutions to achieve the necessary degree of credibility and legitimacy. Hence the importance of simultaneous efforts to promote social cohesion and institutional progress.

Given its influence in so many institutional spheres, a sound public administration is crucial. In this regard, the MICs should strengthen their development management capacities with a results-oriented approach and an efficient resource allocation, including a thoroughly professional civil service with appropriate recruitment and promotion criteria, and ensuring transparency in resource use in a way that minimizes the opportunities for corruption, limits discretionary powers, and reduces the volume of regulations.

Studies that have looked into the relationship between economic growth and social equity reveal a wide diversity of economic growth patterns and social protection options that have differing impacts on the degree of equity. They also show that greater equality has a positive impact for achieving and sustaining growth. The response to inequality implies action along two lines: (i) strengthening the universal elements of development and social protection, in particular through action in areas with the greatest potential impact on long-term economic growth, i.e. basic education and health services; and (ii) structural measures for poverty reduction and short-term income maintenance in the face of macroeconomic shocks. International experience suggests that social safety nets need to be created in advance of potential crises, and that it is very difficult to put them in place once a crisis has been triggered. Together with a reduction in economic inequities, decisive efforts are needed in many MICs to eradicate inequalities based on gender and ethnic considerations.

If countries are to make progress in reducing inequality and poverty, they need a taxation system that is efficient, flexible and fair and that can provide the government with sufficient funds. In many MICs this implies significant changes, and in others a substantial reform. In many cases the individual income tax must play a bigger role, and at the same time corporate income tax policy needs to consider problems relating to the tax base, such as excessive depreciation allowances and other overly generous tax incentives. In this process of reform or change, international cooperation can be helpful in at least three areas: (i) the design of reforms, where attention should be paid not only to experience in developed countries but also to that of MICs themselves; (ii) technical and institutional strengthening of tax administration, including better statistics, the training of officers, and the operational functioning of the institution; and (iii) international cooperation in areas such as double taxation and tax evasion or fraud.

The MICs need to develop their internal financial markets as an indispensable way to accelerate their economic growth, to expand access to financing for all their citizens, to gain further autonomy in the design of policies, and to achieve greater access to international capital markets. A properly functioning financial system requires efficient and competitive banks. Financing for small and medium-sized enterprises also seems necessary, as does access for the general public to the formal banking system. Another essential point is to develop local long-term credit instruments to finance increasing volumes of investment. Multilateral and bilateral cooperation can help in this goal of building an efficient and secure financial market, by supporting the design of an appropriate regulatory framework, together with an adequate structure of information, regulation and supervision.

For the MICs it is also crucial to ensure adequate functioning of the international financial system as a whole. There has already been some progress here, in the sense that many MICs have adopted better mechanisms for prudential regulation and supervision so as to improve the capacity of economic agents to internalize the risks of their decisions. Nevertheless, the approach to preparing international rules is still far from satisfactory: developing countries have little involvement in this task, the regulatory frameworks are not always suitable to the specific characteristics of developing countries, and insufficient attention is paid to the countercyclical role that prudential standards must play and to assuring banking access for small and medium-sized enterprises.

The recent financial crises have revealed the importance of having in place institutions that can inject liquidity into economies that, while not suffering from acute structural problems, are facing a liquidity crisis. Yet progress in this regard has been unsatisfactory. The IMF's Supplemental Reserves Facility is a timid and insufficient response, and the Reserve Augmentation Line, which would probably be very useful, is still at the discussion stage. It is also important to establish an adequate framework for dealing with sovereign debt.

The international financial institutions still lack an effective framework for addressing the new problems now appearing on world financial markets, such as the regulation of financial derivatives and the enormous global imbalances. There are also continuing questions about the legitimacy of these institutions because of their unrepresentative structure. This criticism is frequently targeted at the Bretton Woods institutions, although the problem is even more acute in other institutions such as the Bank for International Settlements and the Basel Committee on Banking Supervision.

A more open trading system can enhance efficiency, facilitate access to new technologies, promote competition on domestic markets, provide possibilities for economies of scale, and help overcome external constraints on economic growth. Yet the benefits of opening markets are neither automatic nor immediate. To achieve sustainable results, policies must be designed and implemented to shape international specialization and to promote technological change and competitiveness in the economy.

Over the last decade and a half the MICs have made significant efforts to open up their economies to the outside world. Yet, despite the sharp increase in their trade flows, these countries still account for only 19% of trade in manufactures, and their exports remain highly concentrated in terms both of markets and of products. All of this constitutes a setting of great vulnerability. What is needed, then, is a shift toward specialization in more dynamic sectors, with greater technological content and higher value-added. To facilitate progress along this path, the universal rules of the World Trade Organization need to be combined with the flexibility necessary to leave some room for domestic development policies. This would involve negotiating some exceptions to certain rules of the TRIMS (Trade-Related Investment Measures) and TRIPS (Trade-Related Aspects of Intellectual Property Rights) agreements that would facilitate the transfer of technology and foster the development of domestic capacities. It would also mean setting more generous time limits and transitional conditions for MICs, without exempting them from the agreed rules.

For a significant number of MICs, the high level of protection that developed countries accord their agricultural markets, through trade barriers and through output and export subsidies, constitutes a major obstacle. The Doha Round must not only reduce tariff barriers, but must also eliminate export subsidies and cut back on the distorting assistance programmes for agricultural output. There are countries within the MICs group that lack the technical means to participate profitably in international trade negotiations, and international cooperation could provide effective help in this regard through technical assistance.

The development of technological capacities depends essentially on changes in production, on investment in research and development, and on the promotion of human and physical capital. The variety of MIC situations reveals differing levels of constraints in addressing these tasks. In many MICs, support for the international transfer of knowledge could do much to overcome these constraints. There is a very effective role to be played by scientific cooperation, both North-South and South-South, for example, through joint training and research programmes, the exchange of researchers, and networking between research teams and centres. In some MICs, foreign investment has played a significant role in high-tech manufacturing sectors. Attracting such investment is important, but it is only a first step: there must also be policies in place for integrating foreign investment into the local productive fabric.

An adequate infrastructure network is key for the development of production, for dynamic international trade, and for the delivery of basic public services. In addition to the challenge of maintaining existing infrastructure, many MICs are grappling with a considerable backlog in infrastructure investment. This can entail considerable efforts to obtain public financing (through tax revenues or borrowing) and to encourage greater private participation. To achieve the latter will require reforms in the structure and regulation of markets to make them attractive to private finance. In several MICs, private participation has required new forms of contracting and the allocation of ownership rights over infrastructure. If these mechanisms are to function effectively, there must be an appropriate regulatory framework in place. That framework must protect investors from arbitrary government intervention, while safeguarding users from private operators in a dominant or monopolistic position.

The building of infrastructure provides an opportunity to develop long-term capital markets and to broaden the portfolio of projects for domestic and foreign investors. At the same time, the multilateral development banks should commit themselves more actively in this sector, facilitating MIC access to finance by reducing conditionality and transaction costs and simplifying procedures.

The world is facing a new historical episode of migratory movements. A large portion of these migratory flows involves MICs as source or destination. In managing these flows it is important to bear in mind that emigration (i) if properly handled, can offer opportunity and progress for countries and people living in poverty with few options for a better life; (ii) can alleviate labour market pressures, in both the sending and the receiving country; and (iii) must be subject to regulation consistent with the ethical standards governing other aspects of international relations. Thus, host countries must be watchful against any attack on the human rights of migrants.

The fact that large groups of migrants find themselves in an irregular situation proves that there is not always consistency between labour needs and the routes available for legal entry into host countries. In this respect, host countries should establish a reasonable policy of residency and work permits that can accommodate the effective needs of their labour market. In turn, the countries of origin should cooperate through policies for the orderly management of emigration and the repatriation of their citizens. In the latter case, international cooperation should help the sending countries strengthen their institutions so that they can pursue a comprehensive and

responsible policy for managing emigration. The objective should be to take greater advantage of the opportunities that temporary emigration offers. In such situations the process should be accompanied by (i) the negotiation of arrangements for transferring social security benefits; (ii) seizing the opportunities offered by GATS Mode IV; (iii) streamlining admission and work permit procedures; (iv) better information and follow-up in the host country; and (v) lowering the cost of return.

Workers' remittances to developing countries have been rising steadily, and currently amount to more than \$200 million a year. They make an important contribution in many MICs to overcoming external constraints and allowing a greater volume of imports. In some cases they have sparked an appreciation of the national currency and the loss of competitiveness. From the recipients' viewpoint, there would seem to be some long-term benefits: besides housing development, a good portion of remittances is spent on education and health. They also reduce the vulnerability of recipients. Yet remittances could be used more efficiently while preserving families' freedom to decide: (i) remittances could be supplemented by government grants conditional upon social or infrastructure investment in the community of origin; (ii) technical assistance could be offered to families to help them make use of the funds in family or cooperative enterprises; (iii) emigrants and their families could be encouraged to use the banking system in both the host and the home country; (iv) fostering programmes and financial instruments specially designed to promote the investment of migrants in their countries of origin.
